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STATE FOR EB/TPP/IPE, NEA/ELA (RANA, ALLEN)
STATE PLEASE PASS TO USTR (MCCOY, BAE, GROVES)
COMMERCE PLEASE PASS TO USPTO

E.O. 12958: N/A

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SUBJECT: JORDAN TO JOIN NEGOTIATIONS ON ANTI-COUNTERFEITING TRADE AGREEMENT

Ref: 06 STATE 182554

1. (SBU) In response to reftel, Minister of Industry and Trade Salem Al-Khazaleh informed the Embassy, through a letter dated September 24 (text below), of Jordan's general support for the Anti-Counterfeiting Trade Agreement (ACTA). NOTE: A copy of the letter was also faxed to USTR/Rachel Bae. END NOTE. Khazaleh also outlined several issues about which the Government of Jordan (GOJ) has concerns or reservations. The Ministry's Director of Foreign Trade Policy, Maha Ali, plans to be in Geneva on October 4 on other business when the informal ACTA discussions will take place. She indicated that she or a representative from the Jordanian mission in Geneva will try to attend the ACTA meeting, absent any scheduling conflicts.

2. (U) Begin text of Minister Khazaleh letter on ACTA:

H.E. Ambassador of the United States of America
Amman-Jordan

Excellency,

At the outset, I would like to thank your Excellency for the efforts exerted by your good self and your team to enhance economic and trade cooperation between our countries.

Reference to the Discussion Paper on a possible Anti-Counterfeiting Agreement, that we received through your esteemed Embassy, I would like to inform your Excellency that after consultation with the relevant parties, the Government of Jordan, in principle, is willing to join the negotiations with other countries on the Anti-Counterfeiting Agreement, but with concerns and reservations on the following:

- Ex officio authority to take action against infringers with respect to trademarks, patents and industrial design infringements.
- Destruction of illegal goods and seizure of equipment and materials used to make them.
- More clarification is needed on the dispute settlement (D.S.) mechanism within the agreement (is it going to be as a set of rules and procedures governing D.S. consultations and arbitration panel or just the committee of parties?).
- Giving ex officio authority to (Customs and JISM) to destroy pirated and counterfeit goods and equipment and materials used to make them.
- Jordan stresses the need for a comprehensive international cooperation and exchange of best practices and information of use in

enforcement actions among the enforcement agencies.

Finally, we believe that there is a great need for providing the Jordanian authorities adequate technical assistance to comply with the new obligations we will have under this agreement.

Please accept your Excellency my highest considerations.

Minister of Industry and Trade
Salem Al-Khazaleh

End text.

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<http://www.state.sgov.gov/p/nea/amman>

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